

AGENDA

Meeting: Southern Area Planning Committee
Place: Alamein Suite - City Hall, Malthouse Lane, Salisbury, SP2 7TU
Date: Thursday 28 November 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718504 or email kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Richard Britton	Cllr George Jeans
Cllr Richard Clewer	Cllr Ian McLennan
Cllr Brian Dalton	Cllr Ian Tomes
Cllr Christopher Devine (Vice-Chairman)	Cllr Fred Westmoreland (Chairman)
Cllr Jose Green	Cllr Ian West
Cllr Mike Hewitt	

Substitutes:

Cllr Terry Chivers	Cllr Dr Helena McKeown
Cllr Ernie Clark	Cllr Leo Randall
Cllr Tony Deane	Cllr John Smale
Cllr Dennis Drewett	Cllr John Walsh
Cllr Peter Edge	Cllr Bridget Wayman
Cllr Russell Hawker	Cllr Graham Wright

AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Membership Changes**

To note any changes to the Membership of the Committee following the Council meeting on 12 November 2013.

2 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

3 **Minutes** (*Pages 1 - 10*)

To approve and sign as a correct record the minutes of the meeting held on 17 October 2013.

4 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

5 **Chairman's Announcements**

To receive any announcements through the Chair.

6 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Thursday 21 November 2013. Please contact the officer named on the front of this agenda

for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

7 **Planning Appeals** *(Pages 11 - 12)*

To receive details of completed and pending appeals.

8 **Planning Applications**

To consider and determine the following planning applications:

- 8a **13/04590/FUL The Old George Brewery, 3 Rolleston Street, Salisbury, Wiltshire** *(Pages 13 - 22)*
 - 8b **13/04597/LBC The Old George Brewery, 3 Rolleston Street, Salisbury, Wiltshire** *(Pages 23 - 30)*
 - 8c **13/03367/FUL 88 Ridge, Chilmark, Salisbury, Wiltshire, SP3 5BS** *(Pages 31 - 38)*
 - 8d **13/03819/FUL Amesbury Bus Station, Salisbury Street, Amesbury, Salisbury, Wiltshire, SP4 7HD** *(Pages 39 - 46)*
 - 8e **13/04550/FUL Land at Livery Road, West Winterslow, Salisbury, SP5 1RF** *(Pages 47 - 54)*
- Update 25/11/13: The map for this item has been amended, and is included separately to the agenda pack.
- 8f **13/03515/VAR Milford House Nursing Home, Salisbury, SP1 1NJ** *(Pages 55 - 68)*
 - 8g **13/03516/LBC Milford House Nursing Home, Salisbury, SP1 1NJ** *(Pages 69 - 74)*

9 **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 OCTOBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Christopher Devine (Vice-Chair), Cllr Peter Edge (Substitute), Cllr Jose Green, Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Tony Deane, Cllr Mike Hewitt and Cllr Leo Randall

102 Apologies for Absence

Apologies were received from Councillor Brian Dalton, who was substituted for the meeting by Councillor Peter Edge.

103 Minutes

The minutes of the meeting held on **26 September 2013** were presented for consideration. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

104 Declarations of Interest

There were no declarations.

105 Chairman's Announcements

There were no announcements.

106 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

107 **Planning Appeals**

The update report on Planning Appeals was received.

108 **Planning Applications**

Attention was drawn to a series of late observations and report changes was circulated to the meeting, to be attached to the agenda on the council website.

109 **13/02724/FUL: Land opposite Woodford Mill, Middle Woodford, Salisbury, SP4 6NW**

Public Speaking

Mr James Humphery spoke in objection to the application.

Mrs Elizabeth Soar spoke in objection to the application.

Mr Richard Soar spoke in objection to the application.

Mr Guy Rash, applicant, spoke in support of the application.

The Planning officer introduced a report which recommended that permission be granted. Key issues were stated to include the principle of the proposed new access and farm track, justification for its creation and impact upon the character and appearance of the area. It was noted that a traffic survey had been conducted on behalf of the applicants, as detailed in the late observations. It was also confirmed that officers from Highways had raised no objections to the application.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding who had carried out the traffic survey at the site, and it was stated to be PFA Consulting, a professional consultancy agency.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Mike Hewitt, then spoke in objection to the application.

A debate followed, where the issue of highways safety, including the impact of surface water drainage across the road, was raised, along with a discussion on whether the proposed track was justified as an essential need given the existing access at the site.

At the end of discussion, it was,

Resolution:

To REFUSE the application for the following reason:

The development proposes a new vehicular access to serve an existing pheasant rearing shed and associated yard. The access would be sited on the outside of a bend where views of emerging vehicles would be partially

obscured to users of the highway, and the applicant has not satisfactorily demonstrated that surface water could be adequately dealt with so as to prevent its discharge onto the highway. Furthermore, it is not considered that the proposed access is essential or necessary development within the countryside, on the basis that the site has historically been accessed by alternative means which is still available for use by the applicant. Consequently the proposed access would be detrimental to highways safety and would not comprise essential development within the countryside, contrary to Local Plan policies G2(i) and C20 (as saved within the South Wiltshire Core Strategy).

110 **13/00246/FUL: Croucheston Farm, The Cross, Bishopstone, Salisbury, Wiltshire, SP5 4BW**

Public Participation

Mr John Foster spoke in objection to the application.

Mrs Patricia Solomon spoke in objection to the application.

Mr Ronnie Butler spoke in objection to the application.

Mr Mike Ash, on behalf of Bishopstone Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended approval be granted. The key issues were stated to include the impact on the surrounding area including the river systems and highways and ecology issues. It was noted that there was a dispute of land ownership over part of the site. A site visit had taken place with several members in the hours before the meeting.

Attention was drawn to the late observations circulated at the meeting, which had replaced the conditions as detailed in the agenda report.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to queries it was confirmed the purpose of the proposal was to recreate and manage a flood plains habitat, and that it was proposed to tarmac an existing track on the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Jose Green, then spoke in objection to the application.

A discussion followed, where concerns were raised about the sustainability of the proposal regarding the spring being able to provide enough water for the site given the dispute over access to the sluice gate on the site, and the lack of likelihood that a licence for the amount of water required could be obtained from the Environment Agency. An increase in vehicular traffic from the tarmac track was also debated.

It was,

Resolved:

To REFUSE the application for the following reasons:

1. The application fails to demonstrate that a continuous and adequate flow of water necessary to sustain a wetland habitat can be achieved. An intermittent and inadequate flow would neither maintain nor enhance the natural environment leading to, in particular, ponding and stranding of fish and other aquatic wildlife. This is contrary to Policy G1 of the Salisbury District Local Plan (SDLP) (which is a 'saved' policy of the South Wiltshire Core Strategy) which requires priority to be given to ensuring new development conserves the natural environment in the interests of sustainability, Policy C12 of the SDLP which resists development which would affect species protected by law, and Policy C2 of the SDLP which resists development in the countryside unless it would benefit the local economy and maintain or enhance the environment. This is also contrary to paragraph 109 of the National Planning Policy Framework.
2. The proposal, to resurface the existing farmyard access track with tarmac, would introduce an urban feature into this rural environment which would detract from its character and appearance. This is contrary to Policy G2 and C2 of the Salisbury District Local Plan (which are 'saved' policies in the South Wiltshire Core Strategy).

111 **13/01391/FUL: Ridgeside, The Ridge Woodfalls, Salisbury, Wiltshire, SP5 2LD**

Public Participation

Mrs Laura James spoke in objection to the application.

Mr Stutchbury spoke in objection to the application.

Mr Harris spoke in objection to the application.

Mr Robin Henderson spoke in support of the application.

Cllr Ian Youdan, Woodfalls Parish Council, spoke in objection to the application.

The Area Development Manager introduced a report which recommended the application be delegated for approval subject to the completion of an s.106 Legal Agreement and suitable conditions. Key issues were stated to include the design of the proposed bungalows and impact on the wider area, the impact on residential amenity and highways issues. It was noted that highways officers had raised no objections to the application, and that a previous refusal on the site had been for three, two storey dwellings, and the application was for two bungalows.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details of the layout and boundaries of the proposed dwellings was sought.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Leo Randall, then spoke in objection to the application.

A debate followed, where the level of garden amenity for the proposed dwellings was raised, along with a discussion of the planned layout of the site. Access into the site was raised, as well as safety issues on the highway and impact of the development on the character of the wider area.

At the conclusion of debate, it was,

Resolved:

To REFUSE the application for the following reasons:

- 1. The proposed development would be located on, and involve the severance of, an existing garden area serving a large dwelling in an area characterised by properties set within large gardens. The proposed dwellings would be located within close proximity to other existing dwellings and would result in the creation of a vehicular access between two existing dwellings.**

The proposal, by reason of its design and layout, would result in a cramped development which would not be in-keeping with the spacious character of established surrounding development (in particular, the south-eastern proposed dwelling). Furthermore, by reason of the cramped layout, the proposal would not provide adequate amenity space for the occupiers of the dwellings commensurate with established surrounding development (in particular, the south-eastern dwelling). Additionally, the proposed vehicle parking and turning arrangements within the site would be cramped and contrived, and so be likely to lead to conflict and/or nuisance for occupiers of the proposed dwellings.

This is contrary to Policies G2 and H16 of the Salisbury District Local Plan (which are 'saved' policies in the South Wiltshire Core Strategy) and the NPPF, particularly paragraphs 17, 53 and 56.

- 2. The proposed access to the site, by reason of its physical characteristics (specifically, its limited width and its gated design) and by reason of the inevitable intensity in its use (serving three dwellings), is considered to be hazardous for both its users and other users of the public highway. This is in view of the conflict which would result when vehicles either pause before the electric gate has opened or meet another vehicle head to head at the access, requiring the entering vehicle on the highway to either pause on the highway or**

reverse on to the highway. Such a manoeuvre is considered to be hazardous to both the entering vehicle and other users of the highway, and as such would be detrimental to highway safety.

This is contrary to Policy G2 of the Salisbury District Local Plan (which is a 'saved' policy in the South Wiltshire Core Strategy).

3. The proposed residential development is considered to be contrary to Policy R2 of the Salisbury District Local Plan (which is a 'saved' policy in the South Wiltshire Core Strategy) and Policy CP3 of the South Wiltshire Core Strategy in that it does not make provision for contributions towards recreational open space/facilities and affordable housing which are essential infrastructure made necessary by the development.

Councillor Jose Green requested her abstention from the motion be recorded.

112 **13/03203/VAR: Brickyard Corner House, Donhead St. Andrew, Shaftesbury, SP7 9ER**

Public Participation

Mr Tolmie-Thompson, applicant, spoke in support of the application.

Cllr Malcolm Cullimore, Chairman of Donhead St Andrew Parish Council, spoke in support of the application.

The Area Development Manager introduced a report which recommended permission be refused. The key issues were stated to include the principle of development, the design and scale of the proposals and impact upon neighbour amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to present their views to the public, as detailed above.

The Local Member, Councillor Tony Deane, then spoke in support of the application.

A discussion followed, where the impact from the proposal if screened by hedges was assessed, and the design including the proposed dormer windows was raised.

After debate, it was,

Resolved:

To GRANT planning permission subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of 26th June 2012.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) The bat roost and associated access points within the roof space of the garage hereby permitted shall be maintained in perpetuity. The roof space of the garage shall be designated as a bat roost and shall not at any time be occupied as or converted to habitable accommodation.

REASON: In the interest of preserving protected species.

- 3) The development hereby permitted shall not be first occupied until the first five metres of the splayed access, measured from the edge of the carriageway, has been consolidated and surfaces (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4) The gradient of the access shall not at any point be steeper than 1 in 15 for a distance of 6.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

- 5) Any gates to close the access shall be set back a minimum distance of 6.5m from the carriageway edge.

REASON: In the interests of highway safety.

- 6) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays.

REASON: In the interest of public amenity.

- 7) No burning of waste shall take place on the site during the demolition or construction phase of the development.

REASON: In the interest of public amenity.

- 8) A new bat roost will be constructed in accordance with the recommendations for mitigation in section 5.0 and Appendix iii of the Bat Update Report (David Leach Ecological Surveys, June 2012) and all bat mitigation features will be maintained solely for use by bats for the lifetime of the development. The house shall not be occupied until a record has been submitted to and approved by the council to confirm that the aforementioned mitigation has been implemented to the satisfaction of a professional bat ecologist.

REASON: In the interest of preserving protected species.

- 9) The existing dwelling known as Brickyard Corner House shall be demolished and all of the demolition materials and debris resulting there from shall be removed from the site within 3 months of the date of first occupation of the new dwelling house hereby approved.

REASON: The application site lies within the countryside where both Local and National policies restrict the creation of new dwellings unless the need is sufficiently proven in policy terms.

- 10) The development hereby permitted shall be carried out in accordance with the following approved plans:

DRG No. 130108-01 (March 13)	28/03/2013
DRG No. 130108-10 Rev A (March 13)	28/03/2013
DRG No. 130108-12 Rev C (June 13)	16/09/2013
DRG No. 130108-13 Rev C (July 13)	30/07/2013

REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVE: The permission should be read in conjunction with the Discharge of Condition Application letter dated 26/04/2013 which discharged conditions 2, 3, 4 and 12 of the original planning application S/2012/0223/FULL.

113 13/03027/FUL: 18c Firs Road, Firsdwn, Salisbury, Wiltshire, SP5 1SQ

Public Participation

Mrs Joan Curtis spoke in objection to the application.

Mr O Guttridge spoke in objection to the application.

Cllr Brian Edgeley, Firsdwn Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended permission be granted. The key issues were stated to include the scale of the proposal to raise the roof and create additional rooms in the roofspace, visual impact and the relationship to adjoining properties from the development.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was stated in response to queries that the only windows in the bathroom in the proposal were roof lights only.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Chris Devine, then spoke in objection to the application.

A debate followed where the extensive local development on the site was

raised, as well as noting the multiple refusals and unsuccessful appeals for two storey dwellings on the site prior to being granted permission for a bungalow.

After discussion, it was,

Resolved:

To REFUSE planning permission for the following reason:

The proposal, by reason of the increase in size of the dwelling and the resulting intensification in its use as a larger house, would result in an over-development of the site, to the detriment of the character and amenities of the area. Furthermore, the additional bulk created by the increase in size would result in an overbearing impact on neighbouring properties. This is contrary to Policies D3 and G2 of the Salisbury District Local Plan (which are 'saved' policies of the South Wiltshire Core Strategy).

114 13/01417/FUL: Gilston, Mount Pleasant, Stoford, Salisbury, Wiltshire, SP2 OPP

After confirming at the beginning of the meeting that no-one in attendance had wished to speak to the application, the Chairman announced that the application had been included on the agenda as the applicant was an officer of Wiltshire Council, but that after further assessment it was determined that the applicant's position did not meet the requirements of an appropriate 'Senior Officer' in the constitution that required the application to be called to Committee for determination.

The application was therefore withdrawn from the agenda.

115 Urgent Items

It was agreed site visits would be arranged for the following applications when they appeared before the Committee:

13/00699/FUL: Land north of Deptford Farm, Wylde, Warminster, Wiltshire
13/04369/SCO: Bake Farm, Coombe Bisset.

(Duration of meeting: 6.00 - 8.50 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

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Wiltshire Council

Southern Area Planning Committee

28 November 2013

APPEALS

Appeal Decisions

Application Number	Site	Appeal Type	Application Delegated/ Committee	Appeal Decision	Overturn	Costs
S/2012/0815	Land north west of the Avenue, Salisbury	HEARING	COMMITTEE	ALLOWED	YES	YES – PARTIAL COSTS

Outstanding Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overturn
S/2012/1705	Hillbilly Acre, Clarendon	H	ENF	
S/2013/0024	Lime Tree Cottage, Flower Lane, Amesbury	WR	DEL	
S/2012/1363	Twin Elms, The Avenue, Porton	WR	DEL	
S/2013/0056	Stonehenge Campsite	WR	COMMITTEE	YES
S/2012/1450	Dairy House Barn, Whiteparish	WR	DEL	
S/2012/1071	Sandhills House, Dinton	WR	DEL	
S/2012/1817	Grasmere Hotel, 70 Harnham Rd, Salisbury	WR	DEL	
S/2013/0043	Meadow View, Park Lane, Britford	WR	DEL	
S/2012/1834, 1835 & 1836	Areas 10, 11, 12 - Old Sarum	LI	COMMITTEE	At Inquiry linked to S/2012/1778 & 1829
13/00134/FUL	Grassmere Hotel, 70 Harnham Road, Salisbury	WR	DEL	
S/2013/0046 & 0047	12-14 Salt Lane, Salisbury	WR	DEL	

S/2012/1566	Penruddocke Arms, Dinton	WR	NON DET	
S/2013/0071	Land adj Parish Church Steeple Langford	WR	COMMITTEE	YES
S/2012/1778 & 1829	Area 9a and 9b & Local Centre, Old Sarum	LI	COMMITTEE	At Inquiry linked to S/2012/1834, 1835 & 1836
E/2012/1543/OUT	Granby Gardens, Ludgershall	WR	NON DET	
13/00451/FUL	Site at Old Southampton Road, Whaddon	WR	DEL	

New Appeals

Application Number	Site	Appeal Type	Application Delegated/ Committee	Overturn
13/01159/FUL	Parcel of land to South of B3089 between Teffont and Dinton	Written Reps	Delegated	No
S/2012/1613/FULL	Ridge Side, The Ridge, Woodfalls, Salisbury	Written Reps	Delegated	No
13/01677/FUL	22 Boscombe Road, Amesbury, SP4 7JQ	Fastrack Householder Appeal	Delegated	No
S/2013/255/LBC	Park Cottage, Milton, East Knoyle, SP3 6BG	Hearing	Delegated	No
13/02645/FUL	Land off St Margaret's Close, rear of 37 Fowlers Road	Written Reps	Delegated	No
13/01691/ADV	Fabric Land, 45-49 Catherine Street, Salisbury	Written Reps	Delegated	No

WR Written Representations
HH Fastrack Householder Appeal
H Hearing
LI Local Inquiry
ENF Enforcement Appeal

Report dated 18 November 2013

Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/04590/FUL		
Site Address	The Old George Brewery, 3 Rollestone Street, Salisbury, Wiltshire SP1 1DX		
Proposal	Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms		
Applicant	Mr Bruce Cifci		
Town/Parish Council	Salisbury City		
Electoral Division	Salisbury St Edmund and Milford	Unitary Member	Cllr Dr Helena McKeown
Grid Ref	Easting: 414585	Northing: 130090	
Type of application	Full Planning		
Case Officer	Matthew Legge		

Reason for the application being considered by Committee

Cllr Dr Helen McKeown has 'called in' the application due to:

- Undue late night noise and disturbance and impact on neighbouring properties.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **Granted** subject to conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

1. Application background
2. Principle of Change of Use
3. Visual Impact
4. Impact on Residential Amenity
5. Impact on Highway Safety & Sustainability

3. Site Description

3 Rolleston Street forms part of the listing for 19 and 21 Winchester Street which was previously The Old George Inn. The building has 14th century origins with 17th and 18th century rebuilding.

The building is Grade II* listed and is formed of two storeys with an attic and gabled end tiled roof. It is also located within the Conservation Area and Secondary Shopping Area of Salisbury.

4. Planning History

There is a long planning history for this site. The following is considered to be most relevant to this current application:

13/00373/FUL: Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms. REF (for refusal reason, see body of report)

13/00374/LBC: Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms. REF (for refusal reason, see body of report)

5. The Proposal

Permission is sought to change the use of the premises from offices to a restaurant. The ground floor will be converted to form a reception area while the first floor will form a restaurant area with kitchen to the rear, and the second floor will form a storage area and staff rooms.

6. Planning Policy

Salisbury District Local Plan policies G2, CN3, CN5 & CN8 as saved within Appendix C of the Adopted South Wiltshire Core Strategy.

South Wiltshire Core Strategy Core Policy CP5

NPPF

7. Consultations

Salisbury City Council:

Support

Wiltshire Council Highways Department:

No objection

Wiltshire Council Environmental Health:

No objection subject to conditions

Wiltshire Council Conservation:

No objections

Wiltshire Council Building Control:

None received

English Heritage:

No comment

Wiltshire Fire & Rescue Service:

General comments

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

24 letters of objection were received (from 19 Households). The main comments were:

- Concern over proposed noise mitigation being actually constructed and maintained.
- Additional light pollution and smell pollution from the restaurant
- Restaurant customers, delivery drivers and restaurant staff would park on both sides of Rollestone Street, again generating noise until very late in the evening.
- Customers at the restaurant would gather outside and smoke and chat. This would be an unwelcome sight to those of us who live opposite and would be noisy too.
- The proposal is for a restaurant to open from midday to 11:00pm at night every day of the week including Sundays and Bank Holidays. This would generate unacceptable noise and disruption until very late in the evening.
- Currently there are no restaurants or bars on Rollestone street. It consists of offices, a doctors surgery & residential dwellings. A restaurant would radically alter the nature of the street for the worse.
- The restaurant windows will look straight into the windows of the apartments opposite, in Three Cuppes Lane, so privacy will be lost.
- There will be increased traffic coming and going until late at night, also the problem of deliveries being made to the restaurant in a narrow road which already suffers congestion.
- The noise caused late at night by customers would impact on local residents as would the light pollution from the restaurant and smells and odours extracted from the kitchens
- We have problems in this area with a lot of antisocial behaviour so a curry restaurant that sells alcohol from 12 am till 11pm can only bring in more.
- Loss of property value.
- Concern over anti social behaviour and illegal activity

1 letter of comment has been received.

- Confirmation sought that another acoustics assessment will be completed once the build has been completed.

1 letter of support has been received from Wessex Property Consultants Ltd.

- Comments that the property has been vacant since October 2009 and has been unsuccessfully marketed as office space since then.

9. Planning Considerations

9.1 Application background

This application has been submitted following the refusal of the recent applications 13/00373/FUL and 00374/LBC.

The differences with this application relates to the level of information and nature of extraction system details and location of external vent openings. Also two of the first floor windows located within the elevation facing Rollestreet will now be fixed shut and obscure glazed. These windows will serve the commercial kitchen.

The reason for the previous refusal reason is as follows:

“The site is located in very close proximity to residential flats in what has largely been a quieter residential area of the city located away from the night time economy and adjacent to an office building. The proposed change of use to a restaurant is considered to cause significant detriment to the amenity of the occupiers of adjacent properties by reason of the noise and odour from the extraction system; and noise from the night time activities such as that generated by a commercial kitchen activity, music, and noise from customers coming/going and congregating outside to smoke. Therefore the proposal is judged to be contrary to policy G2 of the Salisbury District Local Plan as saved within the Adopted South Wiltshire Core Strategy, and the guidance contained within the National Planning Policy Framework, in particular paragraph 123.”

9.2 Principle of Change of Use

Policy CP5 states that applications resulting in the loss of employment should only be approved if the proposal will generate the same number or more jobs; it would facilitate the use of a greater part of the site for employment; it is not suitable for continued employment use due to the detriment to the environment or amenity of area; or there is evidence to show that the site is no longer viable for employment use.

A letter from the Owners of the application property state that the property has been vacant since January 2011 and marketed as office space with local agents. The Owners confirm that this property has received no noticeable interest (during the publicity period) other than from the current Applicant. While the proposal would result in the loss of office space within the city, it is a small space which is not particularly suited to modern office use due to being listed and comprised of small rooms on the first and second floor. In addition a restaurant use is likely to result in a similar number of jobs and therefore it is considered difficult to argue that the proposal would be contrary to CP5.

While there are currently no bars or restaurants located within Rollestone Street, the site is located within the city centre and is close to pubs and restaurants in Winchester

Street, making it difficult to argue that such a use would be inappropriate even if there are other premises available in Salisbury which already have the benefit of A3 use.

9.3 Visual Impact

The only external works are a mechanical extract duct through the roof to the rear and some signage to the front elevation (which is not the subject of this application). The duct will largely be hidden from the public realm being located to the rear, which is only visible from the service courtyard. Therefore the proposal is not considered to be visually detrimental to the surrounding Conservation Area.

9.4 Impact on Residential Amenity

There is a block of 21 flats directly across Rolleston Street and a large number of objections have been received from the residents on the grounds of noise, traffic, parking, disturbance, odour and loss of privacy. There are also some residential units in Winchester Street and further up Rolleston Street.

The recent refusal (which is a materially similar application) referred to:

“...The proposed change of use to a restaurant is considered to cause significant detriment to the amenity of the occupiers of adjacent properties by reason of the noise and odour from the extraction system; and noise from the night time activities such as that generated by a commercial kitchen activity, music, and noise from customers coming/going and congregating outside to smoke...”

Following the recent refusal this application has received further information and an amended scheme to provide air extraction/filtration from the kitchen. A Wiltshire Council Public Protection officer having reviewed the information has commented;

“...The noise assessment provided is satisfactory on the basis that the ventilation system is designed, installed and maintained as per the acoustic report and information submitted. I would also anticipate that this requirement will also be subject to an appropriate condition (on the basis that satisfactory information on the other questions above is provided)

With respect to other aspects of noise impact this application specifically relates to a restaurant and I am commenting on that basis only. Therefore I have commented on the basis that loud music noise would not be anticipated for this kind of use.

With respect to noise from people on the street I am mindful that this is a town centre location (albeit a relatively shielded one), is located on a road junction and that the premises is of a modest scale. In light of these factors and on reflection we don't expect this issue to be especially problematic. Obviously appropriate management and supervision practices, which we would expect responsible food businesses to implement in any respect, will be required. I should be clear that these comments are based on the premises closing to the public at 23:00. Given the proximity of the dwellings opposite this is a reasonable closing time in the town centre and I would have significant concerns about it opening any later. On the basis that other issues are resolved I would also expect to recommend a condition limiting the opening times of the restaurant to those listed on the application form...”

As a result of the above comments, Officers considered that the amended extraction system is now acceptable and will limit harm (which could otherwise result by virtue of the fumes, odour and noise from the extraction unit) to the amenity of the neighbouring dwellings. Officers are also aware that such units need to be continually maintained and a Wiltshire Council Public Protection Officer has added further comments:

“...I do not have a sufficient basis for recommending refusal of the application on this basis at this time should it become apparent after the development comes into operation that those living or working nearby are suffering a nuisance this department will take the necessary action against the business operator to resolve the problem under the provisions of the Environmental Protection Act 1990 and/or Licensing Act 2003. Needless to say action to retrospectively resolve any problems of this kind are likely to cost more – both financial and interruption to the operation of the business – than introducing a robust odour control system at the outset. This email will be kept for our records and will be directly relevant should any such action be required in the future...”

It is clear that if in the future the extraction system which is presented as part of this application is not maintained in a proper or responsible manner then such matters can be resolved under the provisions of the Environmental Protection Act 1990 and/or Licensing Act 2003. Given the no objection comments received from Wiltshire Council Public Protection, officers consider that this amended application now satisfies concerns as raised within the recent Local Authority refusal reason.

In addition, the LPA is able to impose a condition which can be added to any approval to prevent or limit the playing of amplified music thus further mitigating towards the recent refusal reasons.

With regard to the possibility of overlooking from diners of the restaurant, while the concern of the residents of the flats is understood, as the windows are already there, it is difficult to substantiate a reason for refusal on these grounds. For the same reasons the increased amount of light emitting from the building is difficult to object to, particularly as it is a city centre location with street lighting, limiting the additional impact from the windows at night.

This application has proposed to obscure glaze and fix shut the two windows (facing the opposite flats) which serve the high activity area which is the kitchen and as such there would be no chance of these windows being opened thus no further noise and or odour will be omitted from these windows.

While the concern raised by third parties with regard to groups of people congregating nearby to smoke and chat is understood, and mentioned as part of the recent refusal reason, Officers recognise that this is a city centre location, it would be very difficult to reiterate such a reason for refusal as the Local Planning Authority has received the following comments from the a Wiltshire Council Public Protection Officer:

“...With respect to noise from people on the street I am mindful that this is a town

centre location (albeit a relatively shielded one), is located on a road junction and that the premises is of a modest scale. In light of these factors and on reflection we don't expect this issue to be especially problematic..."

Officers therefore on balance consider that the concern over night time activities resulting from the new A3 use could not now be substantiated into a defensible refusal reason.

Conditions are added to limit the hours of use and times of deliveries in order to minimise disruption to nearby properties.

9.5 Impact on Highway Safety & Sustainability

No car parking will be provided for customers or staff but as the current use as offices does not allow for off-street parking, the proposed use is not considered by Highway Officers to worsen the situation. A Wiltshire Council Highway Officer has commented:

"The site is within a city centre location and within easy walking distance of public transport and other local facilities thus minimising the need for a private car. It is considered that the development proposed will not have any significant impact on highway safety and I therefore recommend that no highway objection be raised to it."

The site is located in the city centre which is well served by public transport and public car parks. On this basis Highway Officers do not object to the proposal. Although third parties have raised concern that the spaces on Rolleston Street will be more difficult to use, there are a very limited number of spaces which are short stay, pay and display and the proposed use is not considered to affect the availability of these any more than the previous office use might.

10. Conclusion

On balance, it is considered that the proposal has now overcome the reasons for the recent refusal of application 13/00373 and is acceptable in principle and will not be visually detrimental to the Conservation Area, will have minimal impact on residential amenity, and will not have a detrimental impact on highway safety.

Recommendation

Planning Permission be Approved subject to conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

1410/P07	Submitted on 26/09/13
1410/P08 Rev A	Submitted on 26/09/13
1410/P09 Rev B	Submitted on 26/09/13
1410/P10 Rev E	Submitted on 26/09/13
Details of odour and noise control	Submitted on 26/09/13

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

- 4 Deliveries to and from the site shall be limited to the hours of 08:00 and 18:00 on Mondays to Fridays, 09:00 and 18:00 on Saturdays, and at no time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 5 There shall be no customers/members of the public on the premises outside the hours of 12:00 (midday) and 23:00 on Monday – Saturday and on 12:00 to 18:00 on Sundays and public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 6 No sound-amplifying equipment, loudspeaker, shall be installed/operated within the premises hereby approved or its curtilage.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 7 The two first floor sash windows (serving the kitchen) within the eastern elevation facing Rolleston Street shall be glazed with obscure glass only and permanently fixed shut prior to the first use of the A3 development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

13/04590/FUL - The Old George Brewery, 3 Rolleston Street, Salisbury, SP1 1DX



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Report to Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/04597/LBC		
Site Address	The Old George Brewery, 3 Rollestone Street, Salisbury, Wiltshire SP1 1DX		
Proposal	Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms		
Applicant	Mr Bruce Cifci		
Electoral Division	Salisbury St Edmund and Milford	Unitary Member	Cllr Dr Helena McKeown
Town/Parish Council	Salisbury City		
Grid Ref	Easting: 414585	Northing: 130090	
Type of application	Full Planning		
Case Officer	Matthew Legge		

Reason for the Application being considered by Committee

Cllr Dr Helen McKeown has 'called in' the application due to:

- Undue late night noise and disturbance and impact on neighbouring properties.

1. Purpose of Report

To consider the above application and to the recommendation of the Area Development Manager that planning permission be **Granted** subject to conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

1. Application background
2. Impact on Listed Building

3. Site Description

3 Rollestone Street forms part of the listing for 19 and 21 Winchester Street which was previously The Old George Inn. The building has 14th century origins with 17th and 18th century rebuilding. The building is Grade II* listed and is formed of two storeys with an

attic and gabled end tiled roof. It is also located within the Conservation Area and Secondary Shopping Area of Salisbury.

4. Planning History

There is a long planning history for this site. The following is considered to be most relevant to this current application:

13/00373/FUL: Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms. REF (for refusal reason see body of report)

13/00374/LBC: Change of Use from offices to form ground floor reception area, first floor restaurant/kitchen and second floor storage/staff rooms. REF (for refusal reason see body of report)

5. The Proposal

Permission is sought to change the use of the premises from offices to a restaurant. The ground floor will be converted to form a reception area while the first floor will form a restaurant area with kitchen to the rear, and the second floor will form a storage area and staff rooms.

6. Planning Policy

Salisbury District Local Plan policies CN3 & CN5 as saved within Appendix C of the Adopted South Wiltshire Core Strategy.

NPPF

7. Consultations

Salisbury City Council:
Support

Wiltshire Council Highways Department:
No objection

Wiltshire Council Environmental Health:
No objection subject to conditions

Wiltshire Council Conservation:
No objections

Wiltshire Council Building Control:
None received

English Heritage: No comment

Wiltshire Fire & Rescue Service:

General comments

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

24 letters of objection were received (from 19 Households). A selection of comments:

- Concern over proposed noise mitigation being actually constructed and maintained.
- Additional light pollution and smell pollution from the restaurant
- Restaurant customers, delivery drivers and restaurant staff would park on both sides of Rollestone Street, again generating noise until very late in the evening.
- Customers at the restaurant would gather outside and smoke and chat. This would be an unwelcome sight to those of us who live opposite and would be noisy too.
- The proposal is for a restaurant to open from midday to 11:00pm at night every day of the week including Sundays and Bank Holidays. This would generate unacceptable noise and disruption until very late in the evening.
- Currently there are no restaurants or bars on Rollestone street. It consists of offices, a doctors surgery & residential dwellings. A restaurant would radically alter the nature of the street for the worse.
- The restaurant windows will look straight into the windows of the apartments opposite, in Three Cuppes Lane, so privacy will be lost.
- There will be increased traffic coming and going until late at night, also the problem of deliveries being made to the restaurant in a narrow road which already suffers congestion.
- The noise caused late at night by customers would impact on local residents as would the light pollution from the restaurant and smells and odours extracted from the kitchens
- We have problems in this area with a lot of antisocial behaviour so a curry restaurant that sells alcohol from 12 am till 11pm can only bring in more.
- Loss of property value.
- Concern over anti social behaviour and illegal activity

1 letter of comment has been received.

- Confirmation sought that another acoustics assessment will be completed once the build has been completed.

1 letter of support has been received from Wessex Property Consultants Ltd.

- Comments that the property has been vacant since October 2009 and has been unsuccessfully marketed as office space since then.

9. Planning Considerations

9.1 Application background

This application has been submitted following the refusal of the recent applications 13/00373/FUL and 00374/LBC.

The differences with this application relate to the level of information and nature of extraction system details and location of external vent openings. Also two of the first floor windows located within the elevation facing Rollestreet will now be fixed shut and obscure glazed. These windows will serve the commercial kitchen.

The reason for the previous refusal reason is as follows:

“The site is located in very close proximity to residential flats in what has largely been a quieter residential area of the city located away from the night time economy and adjacent to an office building. The proposed change of use to a restaurant is considered to cause significant detriment to the amenity of the occupiers of adjacent properties by reason of the noise and odour from the extraction system; and noise from the night time activities such as that generated by a commercial kitchen activity, music, and noise from customers coming/going and congregating outside to smoke. Therefore the proposal is judged to be contrary to policy G2 of the Salisbury District Local Plan as saved within the Adopted South Wiltshire Core Strategy, and the guidance contained within the National Planning Policy Framework, in particular paragraph 123.”

9.2 Impact on Listed Building

The previous refusal reason does not relate to any harm to the character or setting of the listed building. A Wiltshire Council Conservation Officer has previously raised comments as directed to the recently refused applications (13/00373 and 13/00374):

“This is a grade II listed building so EH will need to be consulted.*

Ground floor – no objection to removal of stud partitions and creation of disabled toilet.

First floor – can they provide more information on ‘encased beams over’ i.e. how are they going to do this? No objection to the other minor changes except again the restaurant area says ‘encased beams over’. I can’t quite recall but I think there is a suspended ceiling. Could we get them to provide a cross section of the ceiling and a beam to show the detailing please?

Second floor – this is where the big change is in terms of the cooker extraction unit. My recollection is that the building/roof is most altered at the north end, so I have no objection to the extraction unit running through and out of the roof on the western slope (so it is not visible from the street). Just to be sure, perhaps we could have a condition saying specifically that consent is not given for the removal or alteration of any historic timbers?

No objection to signage (subject to more details) or bin in yard.”

As part of this current application the same Conservation Officer has commented:

“I remember having several discussions with the agents during the life of the application and in respect of my comments above.

I don't think there is anything outstanding from my perspective so I am happy to repeat that I have no objections to the proposals.

I do not require any conditions. We have had a number of revised plans and conversations that clarify the likely impact on this building. Where they do impact on fabric it is in areas where there is modern fabric (not historic). All in all this scheme has a much 'lighter touch' in relation to the listed building and its character than the previous pre-application discussions about residential conversion"

This application has received no representation comments in relation to the proposed works to the listed building. The Conservation Officer has not objected to the proposed works. Officers consider that the proposed development will have no detrimental impact to the character and setting of the listed building.

10. Conclusion

It is considered that the proposal will not result in any harm to the character or setting of the Listed Building.

Recommendation

Planning Permission be Approved subject to conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

1410/P07	Submitted on 26/09/13
1410/P08 Rev A	Submitted on 26/09/13
1410/P09 Rev B	Submitted on 26/09/13
1410/P10 Rev E	Submitted on 26/09/13
Details of odour and noise control	Submitted on 26/09/13

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use

Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same class(es), having regard to the circumstances of the case.

- 4 Deliveries to and from the site shall be limited to the hours of 08:00 and 18:00 on Mondays to Fridays, 09:00 and 18:00 on Saturdays, and at no time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 5 There shall be no customers/members of the public on the premises outside the hours of 12:00 (midday) and 23:00 on Monday – Saturday and on 12:00 to 18:00 on Sundays and public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 6 No sound-amplifying equipment, loudspeaker, shall be installed/operated within the premises hereby approved or its curtilage.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 7 The two first floor sash windows (serving the kitchen) within the eastern elevation facing Rolleston Street shall be glazed with obscure glass only and permanently fixed shut prior to the first use of the A3 development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

13/04597/LBC - The Old George Brewery, 3 Rolleston Street, Salisbury, SP1 1DX



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Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/03367/FUL		
Site Address	88 Ridge, Chilmark, Salisbury, Wiltshire, SP3 5BS		
Proposal	Proposed detached home office / yoga room		
Applicant	Ms Rachel Boase		
Town/Parish Council	Chilmark		
Electoral Division	Nadder and East Knogle	Unitary Member	Cllr Bridget Wayman
Grid Ref	Northing: 395333	Easting: 131867	
Type of application	Full Planning		
Case Officer	Louise Porter		

Reason for the application being considered by Committee

Cllr Bridget Wayman has requested the consideration of this planning application at a Planning Committee due to the “scale of development”, the “visual impact upon the surrounding area”, the “relationship to adjoining properties”, and the “design – bulk, height, general appearance”.

1. Purpose of Report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED subject to conditions**.

2. Report Summary

The main considerations which are considered to be material in the determination of this application are listed below:

1. Design, scale and siting (including impact on the AONB)
2. Impact on neighbour amenity

3. Site Description

88 Ridge is an end of terrace dwelling located in open countryside on a large plot. The terrace is positioned side on to the road and is surrounded by fields on three sides. The dwelling is accessed by a track to the south of the terrace.

4. Planning History

S/2001/0315	Two storey extension and access to parking	AC 11/04/01
S/2001/0895	Gabled window to north elevation (1st floor) & ground floor window to match existing	AC 25/06/01
S/2000/2048	Extension and vehicle access involving change of use to residential	AC 04/01/01

5. The Proposal

It is proposed to erect a detached outbuilding to the south-west of the dwelling to be used as a private yoga room and home office. The proposed building will be 6m wide by 9m long with a log store attached adding an extra 1.8m by 2.475m. The proposed building will have a pitched, gable-ended roof with a ridge height of 4.6m. The proposed building will be clad in cedar boarding and will have a natural slate roof.

6. Planning Policy

Salisbury District Local Plan saved policies (which are 'saved' policies of the adopted South Wiltshire Core Strategy):

G2: General Criteria for Development

Policy G2 provides general criteria for development proposals to be assessed against. The criteria relates to the preservation of important landscape and architectural features, residential amenity and highway and environmental issues.

D3: Extensions

Policy D3 permits extensions to existing properties or the development of ancillary buildings within their curtilages subject to the proposal being compatible with the existing property in terms of scale, character, materials and design and the proposal being carefully integrated into the streetscene and the landscape framework.

C5: Minor Development within the AONB

Policy C5 permits development within the AONB provided that the siting and scale of the development are sympathetic with the AONB landscape and the standards of landscaping and design are high, using materials that are appropriate and reflect the character of the area.

7. Consultations

Parish Council: Object, for the following reasons:

1. This is protected open countryside and a designated AONB.
2. It could very easily set a precedent for more development.
3. The proposed development is large in comparison to the existing cottage.

4. The proposal to include a shower room and lay on water facilities could indicate possible change of use.
5. There is no design or access statement.
6. The Land Registry shows that the drive is not part of their curtilage although they have access to their property, parking could be a problem.

8. Publicity

This application was advertised through via site notice, and neighbour notification letters.

1x letter of support received (via the Agent)

4x letters of objection received, covering the following points:

- Scale of proposal
- Unnecessary development
- Private or Business use?
- Ability to be converted to a separate residential unit
- Parking
- Access road not belonging to applicant
- Need to safeguard the countryside
- Error with site address

The issue regarding the ownership of the access road has been resolved, through the applicant serving notice on the owner of this access road, and Ownership Certificate B being signed on the application form.

It is unclear what the comment regarding the site address is highlighting. All of the application documentation and the data on the Wiltshire Council website have been checked, and all relate to 88 Ridge.

All other points raised are discussed in the sections below.

9. Planning Considerations

9.1 Design, scale and siting (including impact on the AONB)

The proposed outbuilding is to be located in the south-westerly corner of the large plot, separated from the dwelling by a mature hedge. The dense hedge and trees along the south and west boundaries provide screening for the proposal, resulting in limited views of the proposal being visible. The proposed outbuilding is to be clad in cedar which will enable the proposed building to blend with its surroundings. The proposed natural slate is considered to be an appropriate roof material.

Due to its appropriate materials, style and screening, the proposal is not considered to be a harmful addition to the AONB, and is considered to be compliant to policies D3 and C5.

Several representation letters made reference to the scale of the proposal and

questioned the need for a large outbuilding. Need for a development is not a material planning consideration. The proposed building is single-storey, subservient to the main dwelling with a lower ridge height, with a fairly small footprint in comparison with the size of the plot, and therefore the proposal is considered to be of a reasonable scale for its surroundings.

Representation letters also raised concerns regarding the potential for the proposed building being either converted into a separate unit of residential accommodation, or that it could be used as a business premises. Both these suggested uses would require a further planning approval, and therefore do not impact on this current application. An informative can be added to any approval, reminding the applicant that the proposed outbuilding can only be used for private uses in accordance with the main dwelling.

The proposal is partly situated within the existing parking area for the property, however there is considered to be sufficient space on site to accommodate parking for two vehicles.

9.2 Impact on neighbour amenity

The proposed building is to be located in the corner of the plot away from any neighbouring properties. Due to this separation distance, the proposal will not cause any overshadowing to neighbouring properties, nor will it cause any detrimental overlooking or privacy issues. There is a high degree of vegetation screening around the proposal which will lessen the visual appearance of the proposed development.

10. Conclusion

The proposed outbuilding is considered to be acceptable by virtue of its scale, design and materials, with no significant impact to the AONB or neighbouring amenities, and it is therefore considered to be in accordance with policies G2, D3 and C5 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy).

RECOMMENDATION

Planning Permission be APPROVED WITH CONDITIONS:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) The development shall be carried out in complete accordance with the following drawings and documents:

1221/01 dated August 2013 received 20/08/13

1221/03 dated Aug 2013 received 20/08/13
1221/04 A dated Aug 2013 received 20/08/13

REASON: For the avoidance of doubt and in the interest of proper planning

INFORMATIVE:

The building hereby approved, is authorised solely for the private use of the occupants of 88 Ridge and for no other purposes, including a separate unit of accommodation or a business use.

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13/03367/FUL – 88 Ridge, Chilmark, Salisbury, Wiltshire, SP3 5BS



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Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/03819/FUL		
Site Address	Amesbury Bus Station, Salisbury Street, Amesbury, Salisbury, Wiltshire, SP4 7HD		
Proposal	Change of Use of the bus station to pay and display car parking including the installation of a ticket machine and the removal of bus/coach parking bays, raised pedestrian footways, railings and lean-to building.		
Applicant	Leisure Activity		
Parish Council	Amesbury		
Electoral Division	Amesbury West	Unitary Member	Cllr Fred Westmoreland
Grid Reference	Easting: 415514	Northing: 141384	
Type of Application	Full Planning		
Case Officer	Charlie Bruce-White		

Reason for the application being considered by Committee

Cllr Fred Westmoreland has called in the application due to public interest.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED subject to conditions**.

2. Report summary

The main issues in the consideration of this application are as follows:

1. Principle of development;
2. Affect upon bus services / public transport use;
3. Highways safety;
4. Character & appearance of the area;
5. Suitability of proposed use;
6. Other matters.

3. Site Description

The site relates to the Amesbury Bus Station, situated within the centre of the town. The site is located adjacent to the roundabout forming the junction of the A345 with the town centre shopping area in Salisbury Street. The site has a frontage and accesses onto both roads.

4. Relevant Planning History

None relevant

5. Proposal

It is proposed to change the use of the bus station to a privately operated pay and display car park. A parking layout for 33 cars is proposed, with 3 designated bays with additional width for drivers and/or passengers with impaired mobility, and designated parking for motorcycles. The scheme would involve:

- the removal of the bus parking bays, raised concrete pedestrian footways, railings and the lean-to building;
- repairs to the ground to allow tarmac surfacing to join with and match the remainder of the site;
- marking of the parking bays
- installation of a ticket machine.

6. Planning Policy

Local Plan: policies G1, G2, CN11, TR16

Local Transport Plan: *Car Parking Strategy*

Central government planning policy: NPPF

7. Consultations

Town Council

Support subject to conditions including

- i) that consideration is given to highways safety with regards to entry/exit points;
- ii) directional signage be erected for the town car parks;
- iii) that a S106 contribution be made towards the town's public WC's;
- iv) that the permission temporary.

Wiltshire Council Highways Officer

No objection subject to conditions to secure

- i) minor amendments to the parking layout;
- ii) directional signage and markings for the entry/exit points; and
- iii) a management plan to secure regular visits by a parking attendant.

8. Publicity

The application was advertised by site notice and neighbour consultation.

- 5 letters were received raising the following concerns:
 - Unnecessary due to existing parking provision;
 - Should remain as a bus station as more convenient than bus stops;
 - Site could be better utilised;
 - Detrimental in visual terms;
 - Could increase congestion.
- 1 letter of support was received subject to management measures (litter control and security).

9. Planning Considerations

9.1 Principle of development

No specific policies address the formation of private non-residential car parks outside of Salisbury, although general planning criteria is relevant as set out within the objectives to Local Plan policy G1, which are to:

- i) achieve an overall pattern of land uses which reduce the need to travel and support increased use of public transport, cycling and walking;
- ii) promote the vitality and viability of local communities;
- iii) conserve both the natural environment and cultural heritage of the District; and
- iv) make effective use of land in urban areas, particularly on previously developed sites.

Local Plan policy TR16 also states that existing bus and rail services should be retained and expanded where appropriate to provide an attractive alternative to the use of the car.

9.2 Affect upon bus services / public transport use

Whilst a well used facility would be lost, alternative provision is being made a short distance from the site for new bus stop facilities, which would be readily accessible to and from the town centre. Consequently it is not considered that the proposal would be contrary to objectives which seek to promote the use of public transport.

9.3 Highways safety

The Highways Officer comments that:

I am generally satisfied with the proposed change of use of the former bus station to a public car park. I note that the accesses are to remain as existing although I would suggest that the access served directly from Salisbury Road is changed to 'No Entry' allowing exit only (with the other access allowing entry and exit). This would prevent the situation of right turning vehicles conflicting with northbound vehicles queuing for the roundabout. A signage scheme should be provided to direct vehicles to the car park and to control the internal movement around the car park.

With reference to the internal arrangement, parking space no.28 seems to obstruct the adjacent disabled space and should be removed. Furthermore, the motorcycle parking may be better placed between spaces 18 & 19 if spaces 7-18 were moved along slightly to open the gap.

Policy PS5 of the Car Parking Strategy (Wiltshire Local Transport Plan 2011-2026) refers to a car park management plan which has been provided within the supporting statement. The contents of the car park management plan is acceptable however the car park should be visited by a parking attendant more frequently than daily to prevent abuse and ensure enforcement. I should be

grateful if this aspect of the plan could be amended and re-submitted as per the condition below.

Consequently no highway objection is raised subject to conditions to secure minor amendments to the parking layout; directional signage and markings for the entry/exit points; and a management plan to ensure regular visits by a parking attendant.

9.4 Character & appearance of the area

The new use would have many similarities in visual appearance to the existing bus station use, i.e. parked vehicles and a large expanse of tarmac, and therefore it is considered that the proposal would preserve the character of the area.

9.5 Suitability of proposed use

Wilts & Dorset, the operator of bus services from the site, have made the decision to dispose of the site. The proposed use would be an effective use of the land which could be readily undertaken with relatively little modification, and would prevent the site become vacant and potentially an eyesore (particularly if security fencing had to be erected to prevent unauthorised access). It would increase choice of parking and thereby promote the viability/vitality of the town centre.

It is noted that the Town Council have suggested a temporary consent, presumably on the grounds that car parking is considered to be an effective use of the site in the short term, as a 'stop-gap', but not in the long term since the site is ideally situated for a retail or mixed use redevelopment. The national planning practice guidance that accompanies the NPPF states that "*Local planning authorities should assess and plan to meet the needs of main town centre uses in full, in broadly the same way as for their housing and economic needs, adopting a 'town centre first' approach and taking account of specific town centre policy.*

This positive approach should include seeking to improve the quality of parking in town centres (in line with the National Planning Policy Framework) and, where it is necessary to ensure the vitality of town centres, the quantity too." This proposal will meet this objective in securing further parking for the town centre without prejudicing future redevelopment of the site.

In the view of Officers a permanent consent for the car parking use would not prejudice future redevelopment possibilities for the site and, with regards to the Town Council's aspiration, Officers advise that these are pursued through the Neighbourhood Planning process, which would help influence future decisions and policy making in relation to the site. It should be noted that the site is already designated as an area where retail development would be acceptable.

9.6 Other matters

The Town Council have suggested that the developer make financial contributions towards much needed renovation works to the town's public WCs. However, there are strict tests which must be met in order for such contributions to be justified, and these include the relevance of the contribution to planning (i.e. is there a relevant planning policy?) and its necessity to make the proposed development acceptable (i.e. will the development cause harm to planning interests that need to be mitigated?). In the view of Officers there is no current policy basis for developer contributions in relation to local projects such as public WCs, and the link between the use of a new car park and the need to renovate the town's public WCs is weak. As a consequence, it is not advised that any planning permission granted is subject to S106 requiring such contributions.

10. Conclusion

The proposed development would be an appropriate and effective use of the site that would be acceptable in terms of highway safety and the character of the area. Given the alternative provision to be made for new bus stops, there would be no detriment to public transport use.

11. Recommendation

Planning Permission be GRANTED subject to the following conditions:

- 1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2) No development shall commence on site until the following details have been submitted to and agreed in writing by the Local Planning Authority:

- Details of the parking layout;
- Details of the location, scale and appearance of the pay station and any associated signage;
- Details of the making good to exposed surfaces where features have been removed (i.e. the lean-to building, railings, footways);

Development shall be carried out in accordance with the agreed details prior to the first use of the car park.

Reason: In the interests of highways safety and the character and appearance of the area.

- 3) Prior to the first use of the development, a revised car parking management plan reflecting the requirement of Policy PS5 of the adopted Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy, as submitted but to include a regular visit by an attendant, shall have been submitted to and approved in writing by the local planning authority. The parking management plan shall be implemented in full accordance with the approved plan at all times following the opening of the car park unless otherwise agreed in writing with the local planning authority.

Reason: In the interests of highway safety and to ensure the adequate provision and control of the car parking.

- 4) Prior to the commencement of work, a signage scheme to include directional road signs, entry / exit signs and internal signs/ directional arrows shall have been submitted to and approved in writing by the local planning authority. The signs shall be erected in accordance with the approved plan prior to first use of the development, and shall be maintained as such for the duration of the permitted use.

Reason: In the interests of highway safety and to prevent confusion for all users of the car park.

INFORMATIVE - Condition 3 (parking layout)

With reference to the internal arrangement, parking space no.28 seems to obstruct the adjacent disabled space and should be removed. Furthermore, the motorcycle parking may be better placed between spaces 18 & 19 if spaces 7-18 were moved along slightly to open the gap.

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Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/04550/FUL		
Site Address	Land at Livery Road, West Winterslow, Salisbury, SP5 1RF		
Proposal	Erection of 3 bed detached dwelling and alterations to existing access		
Applicant	Mr R Hewlett		
Town/Parish Council	Winterslow		
Electoral Division	Winterslow	Unitary Member	Cllr Chris Devine
Grid Ref	Easting: 423358	Northing: 132047	
Type of application	Full Planning		
Case Officer	Ben Hatt		

Reason for the application being considered by Committee

The application has been called to committee by Councillor Chris Devine for the following reason(s):

- Relationship to adjoining properties

1. Purpose of Report

To consider the recommendation of the Area Development Manager that Planning Permission be **REFUSED** with reason.

2. Report Summary

The issues in this case are:

- The principle of residential development in this location;
- Design and impact on character of the area;
- Highway safety;
- Financial contributions.

3. Site Description

The application site is an open area of land used for the growing of vegetables and flowers. It has an existing access from Livery Road.

The site is on the east side of Livery Road with open farmland to its north, west and south sides. To its east side (on the other side of Livery Road) are residential properties within West Winterslow.

In planning policy terms the site lies within the countryside outside of the housing policy boundary of West Winterslow (the boundary runs along the opposite edge of Livery Road). The site also lies within a Special Landscape Area.

4. Planning History

13/02775/FUL - Erection of 3 bed detached dwelling and alterations to existing access – refused

5. The Proposal

Permission is sought for a single 3 bedroom dwelling house with associated parking and alterations to the existing access off Livery Road.

6. Planning Policy

Salisbury District Local Plan: Policies G1, G2, D2, H23, C6, R2 (as ‘saved’ within the adopted SWCS)

South Wiltshire Core Strategy: Policy CP3

NPPF

Winterslow Village Design Statement

7. Consultations

West Winterslow Parish Council

No objections.

Wiltshire Council Housing

No objection subject to CP3 contribution.

Wiltshire Council Highways

The site is located outside of the settlement framework for West Winterslow. There is a lack of facilities in the vicinity of the site to meet the needs of any future residents of the proposed development. There is little alternative to travel by means other than the private car and a lack of footways means that walking would not be a desirable option. The proposal is therefore contrary to local and national sustainable transport policy guidance and so refusal is recommended on this ground.

Notwithstanding the above comments, in line with the current parking standards (Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy) there is a requirement for 2 parking spaces which does not include a garage. A plan should be submitted demonstrating the ability to park two vehicles and to accommodate a suitable turning space to allow vehicles to enter the highway in a forward gear.

The proposed access arrangement would be acceptable to serve the proposed development.

Provision should be made for the disposal of surface water from the site, incorporating sustainable drainage details, to prevent it from discharging onto the highway.

8. Publicity

The application has been advertised by way of site notice and letters to near neighbours.

The publicity has generated five letters of objection (including CPRE) and three letters of support (including the Winterslow Village Design Statement Steering Group).

The objections are summarised as follows:

- Isolated site, outside of housing policy boundary- dangerous precedent if allowed;
- Site not large enough for the proposed site;
- Site is by a dangerous T-junction, and Livery Road is very busy being a rat-run.

The support is summarised as follows:

- There is a need for more housing in this village;
- The proposed house is sensibly sized;
- This is an organic proposal in-keeping with the village and close by properties;
- The proposal is in accordance with the spirit of the VDS.

9. Planning Considerations

9.1 Principle

This application follows a previous refusal for the erection of a 3 bedroom house on the site.

The site lies within open countryside and has not been identified for development. Policy H23 of the Salisbury District Local Plan, indicates that development such as this is not acceptable:

Undeveloped land outside a Housing Policy Boundary, Housing Restraint Area, Special Restraint Area or New Forest Housing Policy Area and not identified for development in this Local Plan will be considered to be countryside where the erection of new dwellings will be permitted only where provided for by policies H26 or H27 of this Local Plan.

The site is isolated from the nearby neighbouring properties sited along Livery Road being on the opposite side of the road. The neighbouring properties are within the Housing Policy Boundary for West Winterslow with Livery Road separating them from the open countryside to the west.

The proposal is considered to be contrary to Policy H23 of the adopted local plan insofar as the site constitutes undeveloped land outside of a Housing Policy Boundary or other housing policy area, and is not identified for development within the current local plan.

The applicant makes references to the Winterslow Village Design Statement which supports an organic approach to development and infill on appropriate sites. In this case the proposal cannot be regarded as infill. It is for a standalone house surrounded on three sides by open land. Equally, it is not considered that the proposal would contribute to the organic evolution of the village. Rather, by reason of its separation and isolation from houses elsewhere in the village, its development would be incongruous and out of keeping with the village's evolution. The Winterslow Village Design Statement makes reference to preserving open spaces. It is considered that the proposal would conflict with this principle being detrimental to this particular open space and the countryside in general.

The applicant makes reference to the land to south of the site being identified for possible development within the VDS. In this respect that land is ranked no. 17. However, the VDS does not outweigh the development plan policies which demonstrably rule out development in this location for the reasons given.

9.2 Design and impact on character of the area

The proposal would result in built encroachment on to, and domestication of, the west side of Livery Road which would be alien in this immediate context and hence harmful to the countryside. As a consequence the proposal would neither protect nor enhance the character of the area contrary to the aims and objectives of saved Policies D2 and C6.

9.3 Highways

The Highways Officer has raised no objections to the on-site parking provisions for the development and the alterations to the access. However, an objection to the proposal has been raised due to the lack of facilities within the vicinity of the site to meet the needs of any future residents of the proposed development, this leading to more travel by car which is unsustainable. There are few options for travelling other than by car, and a lack of footways means that walking would not be a desirable option. The proposal is therefore contrary to local and national sustainable transport policy.

9.4 Contributions

The proposal is contrary to Policy R2 of the Salisbury District Local Plan and Policy CP3 of the adopted South Wiltshire Core strategy because appropriate provision towards public recreational open space and affordable housing has not been made (although it is acknowledged that this could be addressed if an appropriate Section 106 obligation is completed – the applicant has indicated a willingness to do this).

Recommendation

That planning permission be Refused for the following reasons:

- 1) The site comprises undeveloped land outside of a Housing Policy Boundary and is in a location that is not identified for housing growth within the development plan. There is a lack of facilities in the vicinity of the site to meet the needs of future residents and consequently few options to travel by means other than the private car, particularly since a lack of footways means that walking would not be a desirable option. The proposal would therefore be contrary to the aims and objectives of the adopted South Wiltshire Core Strategy, having particular regard to Core Policy 1 and saved Salisbury District Local Plan policies H23 and G1(i), and the NPPF.
- 2) The proposed dwelling would as a result of its isolated location within the open countryside introduce an incongruous feature at odds with the character of the open countryside and would fail to protect or enhance the area contrary to the aims and objectives of saved Salisbury District Local Plan policies C2, C6, G1(iii) and G2(iv&v).
- 3) The development has not made adequate provision towards affordable housing or public open space, and would therefore be contrary to Core Policy 3 of the adopted South Wiltshire Core Strategy and Saved Salisbury District Local Plan policy R2 (as saved within the adopted South Wiltshire Core Strategy).

INFORMATIVE:

It should be noted that the reason given above relating to policy R2 and Core Policy 3 could be overcome if all the relevant parties complete a Section 106 legal agreement.

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13/04550/FUL - Land at Livery Road, West Winterslow, Salisbury, SP5 1RF



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Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/03515/VAR		
Site Address	Milford House Nursing Home, Salisbury, SP1 1NJ		
Proposal	Vary condition 1 of S/2010/0809 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time to implement the permission		
Applicant	Barchester Healthcare Ltd		
Town/Parish Council	Laverstock		
Electoral Division	Laverstock, Ford and Old Sarum	Unitary Member	Cllr Ian McLennan
Grid Ref	Easting: 415904	Northing: 129548	
Type of application	Full Planning		
Case Officer	Matthew Legge		

Reason for the application being considered by Committee

Cllr Ian McLennan has asked that this application be considered by Committee due to:

- Increasing amount of traffic along Milford Mill Road;
- the loss of amenity to residents of Milford House, caused by this huge extension in the garden;
- there is a possibility that the footpath linking the mediaeval bridge and Milford House Nursing Home can be upgraded and that this would lessen road danger to staff at Milford House;
- the situation has changed since the first permission, and the wider public are interested in the consequences and linkage to the footpath and overdevelopment of gardens.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission is **Granted** subject to conditions.

2. Report summary

The main issue in this case is whether or not there are material changes in circumstances since the original grant of planning permission to justify a different decision.

The Parish Council objects to the application. Two objections have been received from third parties, and no support.

3. Site Description

The site is currently occupied by the Milford House Nursing Home, a much extended listed building with two accesses on to Milford Mill Road. Car parking is provided from both accesses. Milford Mill Road is a narrow road linking Salisbury with the Peters Finger area. Adjacent to the site is a right of way which links to the Southampton Road, via a crossing under the railway.

4. Relevant Planning History

There is a long planning history for this application site. The following is considered to be most relevant to this current application:

S/2010/0809: Single storey extension to provide 12 additional bedrooms and associated facilities - approved

S/2010/0810: Single storey extension to provide 12 additional bedrooms and associated facilities – listed building consent granted

5. Proposal

To vary Condition 1 of S/2010/0809 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time limit for the implementation of that permission.

6. Planning Policy

Adopted policies; G1, G2, G8, D3, CN3, CN5, CN21, CN22, CN23, C2, C7, C17, C23, C24, TR11, TR14, R3, PS1, PS2 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

South Wiltshire Core Strategy: CP21

DRAFT Wiltshire Core Strategy: CP57, CP58, CP46, CP48, CP51, CP52, CP64, CP61

National Planning Policy Framework (NPPF)

7. Consultations

Parish Council

Object

Wiltshire Council Highways

No objection

Wiltshire Council Conservation

No objections

Natural England

No further comments

WF&RS

General comments

8. Publicity

Two letters of objection have been received.

Summary of key points raised:

- Overdevelopment of site
- Increased vehicular traffic on Milford Mill
- Concerns regarding impact of noise from Road.
- Inadequate space for lorries to deliver
- Safety concerns for pedestrians
- No provision for cycles.
- Not encouraging staff to use alternative means of travel to work
- Extension will not provide local jobs.

9. Planning Considerations

The main consideration in this case is whether or not there have been any material changes in circumstances since the original grant of planning permission to justify a different decision now.

9.1 Changes in planning policy since the 2010 approval

Since the approval of S/2010/809 and 0810 there have been changes to national planning policy. Specifically, the 'old' planning policy statements and planning policy guidance notes have been largely replaced by the National Planning Policy Framework. As this is effectively a streamlined version of the original documents it does not contain a particular references which would rule out the form of development proposed in this current application.

In addition to the NPPF the Council has replaced its development plan with the South Wiltshire Core Strategy and the draft Wiltshire Core Strategy (although the former document retains much of the Salisbury District Local Plan as 'saved' policies).

There are no new polices within the South Wiltshire Core Strategy which preclude effectual renewal of the original planning permission. Likewise, there are no policies in the draft Wiltshire Core Strategy which prevent this form of development.

9.2 Other material considerations

The material considerations relevant to the application remain unchanged from when the application was originally considered. This is reflected in the responses from statutory consultees who continue to raise no objections or have no further comments to add.

The material considerations are as follows:

- Planning policies;
- Impact on the landscape;

- Impact upon amenities;
- Impact on the character of the listed building;
- Impact upon highway safety;
- Other issues, River Avon Special Area of Conservation, Impact on Trees, Archaeology, Provision of Amenity Open Space.

The original officer's comments on each of these considerations remain unchanged, and consequently the original report is reproduced below. All policies referred to in the comments (with the exception of TR11) are 'saved' and so remain part of the Development Plan.

Policy TR11 set parking standards. This has been replaced by the Local Transport Plan (LTP). That said, the standard for nursing homes remains unchanged between TR11 and the LTP.

The original officer's comments follow:

9.1 Policy consideration

The application site is located within the Landscape Setting of Salisbury and Wilton (policy C7). This policy states that 'no new development will be permitted'. Policy C7 adopts an essentially restrictive stance in order to protect the high quality of the landscape settings of Salisbury and Wilton primarily to prevent the coalescence of the settlements. The policy indicates that there should be no new development within the lifetime of the plan. However, the supporting text to this policy states that built development or changes of use of land will be permissible where, in addition to being fully in accordance with other relevant policies of this Local Plan, it can be demonstrated that the quality of the landscape will not be impaired. If the extension to the building would create a substantive feature in the landscape, which would be prominent and intrusive, then it could be considered to be in conflict with policy C7. However, in this case, as the development is within the established boundaries of the site, the erection of an extension to an existing building could be considered to have only a minimal impact on the general visual quality of the landscape setting of Salisbury and therefore it is considered that the development would not be in conflict with the spirit of Policy C7.

The starting point for assessing this proposed dementia care unit are the community policies PS1 and PS2.

PS1 states that the development of health, social services, places of worship and community facilities will be permitted within or adjoining the settlements and that proposals to redevelop or enlarge existing facilities which are located outside settlements will be permitted where the proposed development would take place within the existing boundaries of the site. Policy PS2 relates specifically to the development of a residential care facility and states that, "the erection of new buildings in the countryside for rest or nursing homes will not be permitted". As Milford House is located in the 'landscape setting of Salisbury, it is outside the residential limits of the City and outside of the designated areas to which the housing policies of the Local Plan apply (i.e. Housing Policy Boundaries and Housing Restraint Areas), and it clearly falls within the open countryside. However, this proposed development can reasonably be construed as an extension to the

existing nursing home, within the established boundaries of the site and therefore can be considered to be in accordance with the aims of these policies.

As this application seeks planning permission for the erection of a residential dementia care extension in the open countryside, policies C23 and C24 are also relevant. Policy C23 specifically refers to extensions in the grounds of uses, such as institutional uses such as rest/nursing homes, and states that these will be permitted if there is no adverse impact on the character of the building or its surroundings. In the respect of extensions to existing buildings, policy C24 is similar in that they will be permitted if they are sympathetic in scale and character to the existing building and its surroundings and are within the existing curtilage. In this respect as the extension is physically attached to the existing building and there will be an operational linkage between the existing nursing home and the proposed dementia care facility as the intention is to allow for the on-going care of the current residents; the proposed development can reasonably be considered to be in accordance with the principle of these policies.

The proposed development must also be assessed against the design policies of the Local Plan, and in particular Policy D3 which like policy C24, relates to the need to encourage good design and for new development to respect the character and appearance of the surrounding area in respect of scale, height, massing, layout and materials.

With regard to other policies, Policy G1 seeks to ensure that development promotes a sustainable pattern of development that reduces the need to travel by car and encourages increased use of public transport, cycling and walking, makes the most efficient use of land, promotes the vitality and viability of local communities and conserves the natural environment and cultural heritage of the District. Policy G2 relates to general criteria against which development proposals will be assessed that include, amongst other factors, its impact on residential amenity, highway matters such as the effect of development on the road network, off-street parking and the suitability of access and turning facilities and the need to protect landscape and historic features. Policies TR11 and TR14 seek to ensure that new developments are provided with an acceptable level of provision of on-site parking spaces and secure cycle parking spaces respectively, while Policy R3 requires that development proposals for nursing homes should provide on-site amenity space.

The statement covers assets that are not designated but are of heritage interest and thus it is a material planning consideration. Decisions must be based on the nature, extent and level of that interest and the asset must be put to an appropriate and viable use that is consistent with their conservation.

In support of the current proposal, the applicant also states that there is a need for the provision of dementia care facilities, to support the existing nursing home, as otherwise the residents would have to be transferred to other facilities which is not conducive to residents needs or wishes. It is the applicant's contention that the proposed 12 bed unit will allow for all residents needs to be addressed, and allow the existing home to provide on-going care/care for life to all residents. 'It is well known in the care industry that residents who are frail, elderly and vulnerable suffer distress, trauma (and in some cases death) as a result of relocation. This

proposal will ensure that no local elderly person need be subjected to this trauma. There is great local demand for continued care at this facility to which this application will address.'

With regards to the need in the community for a dementia care unit, the Local Planning Authority accepts that with an ageing population the demand for specialised dementia care is set to grow. It therefore regards the requirement for this type of facility/accommodation as being firmly established. The benefits of reducing the impact and trauma of moving a resident in the event of their needs changing from residential to dementia care by minimising change in their environment are acknowledged. However, despite the obvious benefits of locating the two facilities on the same site only if the proposal is generally in accordance with Local Plan policies, should this scheme be supported as, the fact that a development is needed should not in itself override other national and local policies

9.2 Impact on the landscape/design

Development proposals in the countryside must have regard to the high quality of the landscape and the siting and scale of development must be sympathetic with the landscape and of a high standard of design. The design of the dementia care unit, which forms an 'L' shape wing to the rear of the existing care home, whilst substantial in comparison with the existing building, retains most of the established garden. Nevertheless it still represents a substantial sized building.

The extension has a width of about 11 metres across and extends 35 m into the garden with a return of the 'L' shape of the wing of a further 17 metres. In terms of its overall height, the building would be about 5.5 metres. However, the building achieves a good degree of articulation, has hipped roofs to reduce its visual bulk and the materials proposed match the existing building. Despite this, it is considered that the proposed development would not represent a visual intrusion into the open countryside and as it would be wholly within the existing site it is considered to respect the character and high visual quality of the landscape setting of Salisbury. As such, the proposed development is in accordance with the aims and objectives of policies C7, C24 and D3

9.3 Impact upon amenities

With regards to the issue of residential amenity, the application site has no immediate adjacent neighbours, though, there is a small residential grouping across the road. As there is a substantial mature tree screen along much of the boundary to the application site, and the extension is to the rear of the existing nursing home, it is not considered that the extension would result in any material harm to the amenities of the occupants of these properties. Given the limited additional traffic likely to be generated by the additional accommodation, there is unlikely to be any increase in disturbance from traffic.

9.4 Impact on the character of the listed building

Milford House is a listed grade II building dating from the 18th century. There have been substantial extensions to the original house and as the proposed dementia care unit is to the rear of an existing modern extension to the original building. The

Conservation Officer does not consider that this proposal will have any impact upon the character of the Listed building or its setting

9.5 Impact upon highway safety

The thrust of the national guidance is to encourage development in sustainable locations which offer a good range of community facilities and with good access to jobs, key services and infrastructure and which are served by public transport and offer the greatest opportunities for access by walking and cycling thereby reducing the dependency on the private car. The site of the Nursing Home is outside the settlement of Salisbury and therefore technically in the open countryside. Given this location the proposal would not usually constitute a sustainable form of development in respect of the associated traffic generation. However, the residential conversion of the buildings/barns on the opposite side of the road was deemed sustainable by the Planning Inspector.

Concerns have been raised by both the Parish Council and neighbours regarding highway safety, including the adequacy of Milford Mill Road to accommodate the additional traffic likely to result from the proposed new development. It is the Highway Authority's view though that having regard to the nature of the proposed extension i.e. to provide dementia care, any resultant additional traffic is unlikely to be significant. It is considered that visitors may be expected to visit residents mainly at weekends or during evenings when other traffic using Milford Mill Road is likely to be reduced and that any additional service traffic will be minimal. Additionally, the applicants are proposing to create an additional 5 parking spaces to meet the extra demand from staff and visitors. As it is also proposed to continue to use the existing accesses on to Milford Mill Road and no new vehicular access is proposed to serve the development the Highway Authority has concluded that it has no objection to the proposal.

9.6 Other issues

9.6.1 Special Area of Conservation, River Avon

The site is adjacent to the River Bourne, part of the River Avon System Site of Special Scientific Interest (SSSI) which has statutory protection under the Wildlife and Countryside Act 1981(as amended) and a Special Area of Conservation (SAC) which has European protection. The nature conservation interest of the river system arises from the importance of a plant (water crowfoot) and five species of fish and snails. Whilst development close to the river could damage the river eco system through loss of habitat or pollution, because of the location of the site, Natural England considers that the nature conservation interest of the river system is unlikely to be affected, by the development.

9.6.2 Impact on Trees

The application site contains substantial tree and landscape planting which provides an important screen to the frontage boundary of the site with Milford Mill Road, and there is also a substantive group of trees adjacent to the boundary on the railway embankment. The proposed extension would be a significant distance

from these respective boundaries and therefore would not adversely affect the health or retention of the existing tree/landscape planting. However, the expansion of the parking area in front of the main entrance will be located close to the rooting areas of the frontage screening and therefore the council's Arboricultural officer requires that any development be conditioned to ensure that all of the trees to be retained will not be harmed during creation of the additional parking area and therefore it is considered appropriate to impose a condition requiring the provision of protection measures to the trees and landscape planting throughout the construction period.

9.6.3 Archaeology

The site is immediately south of a scheduled monument the Medieval Pottery Kilns of Milford Farm and close to a series of earth works possibly part of a medieval settlement. Anglo-Saxon remains have also been found on the site in the past. An archaeological investigation of the site of the proposed extension, however, found no evidence of any archaeological deposits or artefacts and therefore the Council's Archaeological advisor does not require any further investigation of the site and has no objections to the proposed development.

9.6.4 Provision of Amenity Open Space

The Local Planning Authority recognises that nursing/rest home accommodation generates different needs for open space provision to that of residential dwellings because of the greater reliance that their occupants have on on-site amenity space and the very limited demand for recreational facilities. On-site amenity space is therefore important in these types of development providing pleasant views from habitable rooms within the development and as sitting out areas for residents. As such, it is considered important that amenity space of a sufficient size and landscaped to provide an attractive sitting out area/environment is provided within the site.

In this instance, the proposal includes the retention of the open amenity space to the east of the proposed building that currently provides an external amenity/garden area that is accessible from the building and that will provide an open aspect. There is also an external terrace area adjacent to the lounge areas on the southern and western corners of the building. In addition, the proposed development has been purposely designed so that the residents' lounges are all located in the south western corner of the building where they can make use of the southern and south western aspects and residents can benefit from views looking out over the gardens. It is therefore considered that the proposed development provides acceptable on-site amenity provision in accordance with Policy R3 of the Adopted Local Plan.

10. Conclusion

There have been no material changes in circumstances to justify a different outcome in this case. There is a need for dementia care and this proposal would provide this facility with the existing nursing home. The site is in a sustainable location, within the established boundary of the existing nursing home, and therefore the proposal is considered to be in accordance with the development plan.

It is considered that the extension by virtue of its overall scale and massing would not be a visual intrusion into the open countryside, the proposal would have no impact upon the character and setting of the listed building and there would be no impact on highway safety.

11. Recommendation

Planning Permission be Approved with conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2 Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

REASON. To ensure that the external appearance of the building is satisfactory.

- 3 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Drawing ref. no. 08/286(D) 001Rev A Location Plan received on 26.05 2010

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Drawing ref. no. 08/286(D) 003Rev A Proposed floor plan received on 26.05 2010

Drawing ref. no. 08/286(D) 004Rev B Proposed elevations received on 26.05.10

Drawing ref. no. 08/286(D) 005 Proposed site plan received on 26.05 2010

Archaeological evaluation ref CA Report 10017 dated February 2010

Design and Access statement received on 26 May 2010

Environmental Noise Survey Report 16446/PPG24_Rev A dated 24 May 2010

Heritage Statement received on 26 May 2010

Construction Method Statement received on 3 June 2010

Lighting assessment received on 26 May 2010

Sustainability statement received on 3 June 2010

REASON: For the avoidance of doubt.

- 4 Construction work shall not begin until a scheme for protecting the development against noise from road and rail traffic has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before the development is occupied.

REASON: In the interest of amenity for the future occupants of the development.

- 5 The development must not commence until an Arboricultural Method Statement, including all relevant details of tree protection, has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during creation of the additional parking area to the north of the existing building. In particular, the statement should confirm there will be minimal ground disturbance within the Root Protection Areas of the surrounding trees and an appropriate Cellular Confinement System will be used to prevent compaction.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 6 The lighting scheme submitted with the application hereby approved shall be installed and operated in accordance with these approved details.

REASON To enable the Local Planning Authority to exercise control over the appearance of the lighting installation and the level of illumination in order to conserve the high quality landscape and character of the Special Landscape Area and in the interests of residential amenity.

- 7 Notwithstanding the submitted plans, prior to the commencement of development, details of a secure and covered cycle parking facility shall be submitted to, and approved in writing by, the Local Planning Authority, and shall thereafter be constructed in accordance with the agreed details and made available for use prior to the first occupation of the building hereby approved and shall thereafter be retained.

REASON In order to secure the provisions of appropriate facilities for cyclists and to promote other modes of transport other than the car in the interests of

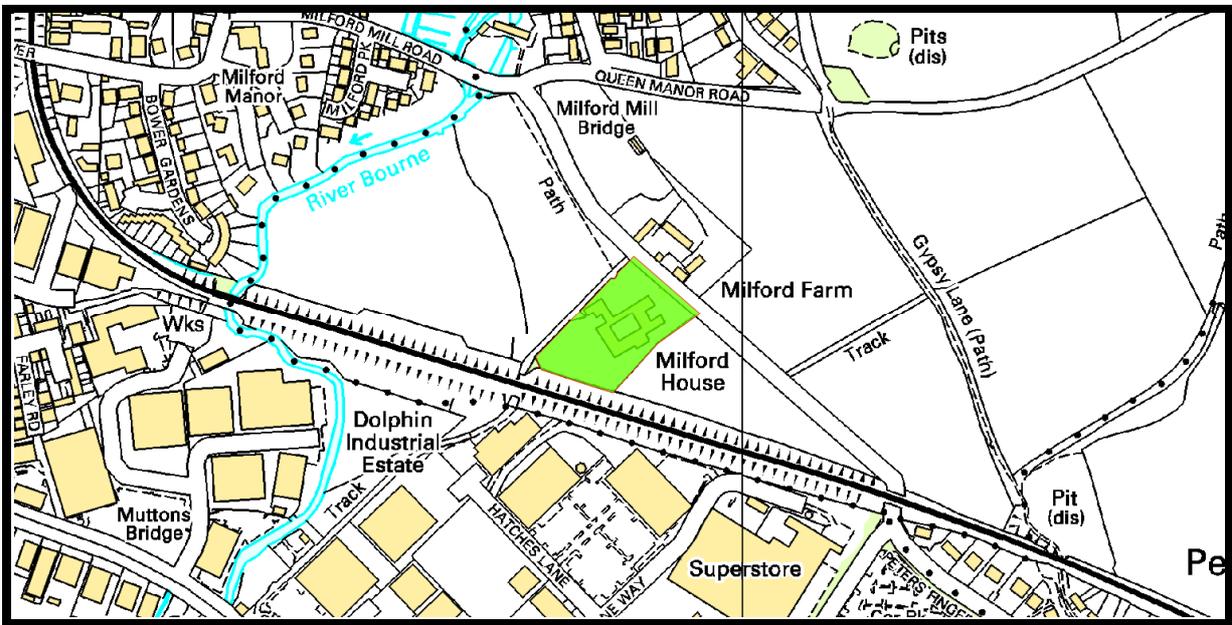
sustainable development.

- 8 Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the development hereby approved shall be used solely as a dementia care facility in association with the adjacent Milford House Nursing Home and for no other use purposes, whatsoever, including any other purpose in Class C2 of the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

REASON To enable the Local Planning Authority to retain planning control over the use of the building hereby permitted in the interests of sustainable development.

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13/03515/VAR - Milford House Nursing Home, Salisbury, SP1 1NJ



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Report to the Southern Area Planning Committee

Date of Meeting	28 November 2013		
Application Number	13/03516/LBC		
Site Address	Milford House Nursing Home, Salisbury, SP1 1NJ		
Proposal	Vary condition 1 of S/2010/0810 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time to implement the permission		
Applicant	Barchester Healthcare Ltd		
Town/Parish Council	Laverstock		
Electoral Division	Laverstock, Ford and Old Sarum	Unitary Member	Cllr Ian McLennan
Grid Ref	Easting: 415904	Northing: 129548	
Type of application	Full Planning		
Case Officer	Matthew Legge		

Reason for the application being considered by Committee

Cllr Ian McLennan has asked that this application be considered by Committee due to:

- Increasing amount of traffic along Milford Mill Road:
- the loss of amenity to residents of Milford House, caused by this huge extension in the garden:
- there is a possibility that the footpath linking the Mediaeval Bridge and Milford House Nursing Home can be upgraded and that this would lessen road danger to staff at Milford House:
- the situation has changed from that first permission and the wider public are interested in the consequences and linkage to the footpath and overdevelopment of gardens.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that Listed Building consent is given subject to conditions.

2. Report summary

The main issue in this case is whether or not there have been any material changes in circumstances since the original grant of consent to justify a different outcome.

The Parish Council objects to the application. Two objections from third parties have been received; there has been no support.

3. Site Description

The site is currently occupied by the Milford House Nursing Home, a much extended listed building with two accesses on to Milford Mill Road. Car parking is provided from both accesses. Milford Mill Road is a narrow road linking Salisbury with the Peters Finger area. Adjacent to the site is a right of way which links to the Southampton Road, via a crossing under the railway.

4. Relevant Planning History

There is a long planning history for this application site. The following is considered to be most relevant to this current application:

S/2010/0809: Single storey extension to provide 12 additional bedrooms and associated facilities - approved

S/2010/0810: Single storey extension to provide 12 additional bedrooms and associated facilities - listed building consent given

5. Proposal

To vary Condition 1 of S/2010/0810 (single storey extension to provide 12 additional bedrooms and associated facilities) to extend the time to implement the consent.

6. Planning Policy

Adopted policies; G1, G2, D3, CN3 and CN5 'saved' within Appendix C of the adopted South Wiltshire Core Strategy.

DRAFT Wiltshire Core Strategy: CP57, CP58, CP59

National Planning Policy Framework (NPPF)

7. Consultations

Parish Council

Object

Wiltshire Council Conservation

No objections

8. Publicity

Two letters of objection have been received.

Summary of key points raised:

- Overdevelopment of site
- Increased vehicular traffic on Milford Mill
- Concerns regarding impact of noise from Road.

- Inadequate space for lorries to deliver
- Safety concerns for pedestrians
- No provision for cycles.
- Not encouraging staff to use alternative means of travel to work
- Extension will not provide local jobs.

9. Planning Considerations

- Changes in Planning Policy since the 2010 approval.
- Impact on the character of the listed building

9.1 Changes in conservation policy since the 2010 approval

Since the original approval of listed building consent the National Planning Policy Framework has largely replaced Planning Policy Statements and Guidance notes. The NPPF states the following:

In determining planning applications, local planning authorities should take account of:

- the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- the desirability of new development making a positive contribution to local character and distinctiveness.

The officer's assessment of the previously approved application (S/2010/0810/LBC) is considered to be applicable to this current application to extend the time limit for the implementation of the development:

9.1 Impact on the character of the listed building

Milford House is a listed grade II building dating from the 18th century. There have been substantial extensions to the original house and as the proposed dementia care unit is to the rear of an existing extension to the original building, the Conservation Officer does not consider that this proposal will have any impact upon the character of the listed building or its setting.

The Conservation Officer continues to raise no objections to the proposal having regard to both the development plan and the NPPF.

10. Conclusion

There are no conservation policy changes which have had a material effect on the decision of the Local Planning Authority to grant consent.

The proposed extension to provide dementia care would link with the existing nursing home, and as the conservation officer considers that the proposal would have no impact upon the character and setting of the Listed Building, the proposal is considered

to be in accordance with the 'saved' policies CN3 and CN5 (as contained Annex C of the Adopted South Wiltshire Core Strategy) and the NPPF.

11. Recommendation

Planning Permission be Approved with conditions:

- 1 The works for which Listed Building consent is hereby granted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

REASON: To ensure that the external appearance of the building is satisfactory.

- 3 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

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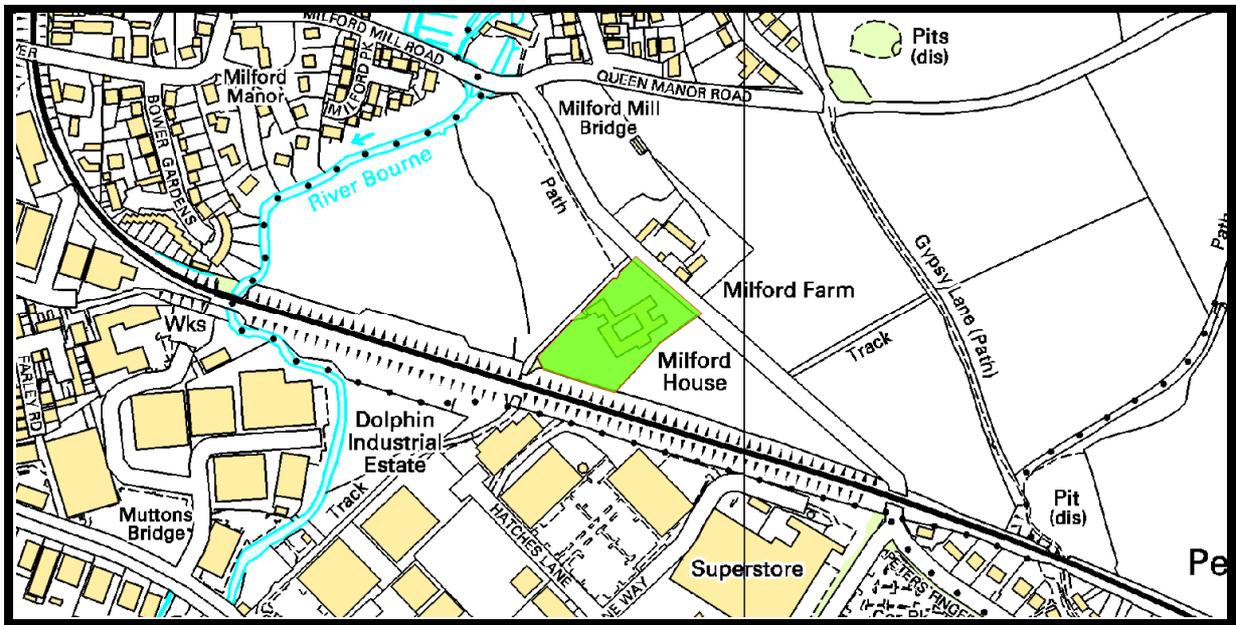
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REASON: For the avoidance of doubt.

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